

THOMPSON, CHENEY, & KINZINGER OPENING STATEMENTS AT SELECT COMMITTEE HEARING

Jun 23, 2022

- As Delivered -

Chairman Thompson: “Good afternoon.

“In our previous hearings, the Select Committee showed that then President Trump applied pressure at every level of government—from local election workers up to his own Vice President—hoping public servants would give in to that pressure and help him steal an election he actually lost.

“Today, we’ll tell the story of how the pressure campaign also targeted the federal agency charged with enforcement of our laws: the Department of Justice.

“We’ve already covered part of Mr. Trump’s effort. We heard from Attorney General Bill Barr tell the story and the Committee about the baseless claims Mr. Trump wanted the Justice Department to investigate—and that Mr. Barr viewed those claims as nonsense.

“Today, we will hear from Jeffrey Rosen, the person Mr. Trump appointed to run the Justice Department after Attorney General Barr resigned. We’ll hear from other senior Justice Department officials also. Together, these public servants resisted Mr. Trump’s effort to misuse the Justice Department as part of his plan to hold onto power. And we will show that Trump’s demands that the Department investigate baseless claims of election fraud

continued into January 2021.

“But Donald Trump didn’t just want the Justice Department to investigate.

“He wanted the Justice Department to help legitimize his lies to baselessly call the election corrupt to appoint a special counsel to investigate alleged election fraud to send a letter to six state legislatures urging them to consider altering the election results.

“And when these and other efforts failed, Donald Trump sought to replace Mr. Rosen, the Acting Attorney General, with a lawyer who he believed would inappropriately put the full weight of the Justice Department behind the effort to overturn the election.

“Let’s think about what that means.

“Wherever you live in the United States, there’s probably a local government executive—a mayor or a county commissioner.

“There’s also an official responsible for enforcing the laws—a district attorney or a local prosecutor.

“Imagine if your mayor lost a reelection bid.

“But instead of conceding the race, they picked up the phone, called a district attorney, and said, ‘I want you to say this election was stolen. I want you to tell the Board of Elections not to certify the results.

“That’s essentially what Donald Trump was trying to do with the election for President of the United States.

“It was a brazen attempt to use the Justice Department to advance the President’s personal political agenda.

“Today, my colleague from Illinois, Mr. Kinzinger, and other witnesses, will walk through the

Select Committee's findings on these matters.

"But first, I'll recognize our distinguished Vice Chair, Ms. Cheney of Wyoming, for any opening statement she'd care to offer."

Vice Chair Cheney: "Thank you very much, Mr. Chairman.

"At this point, our Committee has just begun to show America the evidence that we have gathered.

"There is much more to come, both in our hearings and in our report.

"But I'd like to take just a moment to put everything we've seen in context.

"We have already seen how President Trump falsely declared victory on November 3, 2020, how he and his team launched a fraudulent media campaign that persuaded tens of millions of Americans that the election was stolen from him.

"Donald Trump intentionally ran false ads on television and social media – featuring allegations that his advisors and his Justice Department repeatedly told him were untrue.

"We have also seen how Donald Trump launched a fraudulent fundraising campaign that raised hundreds of millions of dollars, again based on those same false election-fraud allegations.

"We have seen how President Trump and his allies corruptly attempted to pressure Vice President Pence to refuse to count lawful electoral votes and obstruct Congress' proceedings on January 6th, and how he provoked a violent mob to pursue the Vice President and others in our Capitol.

“We have seen how the President oversaw and personally participated in an effort in multiple states to vilify, threaten and pressure election officials, and to use false allegations to pressure state legislators to change the outcome of the election.

“We have seen how President Trump worked with and directed the Republican National Committee and others to organize an effort to create fake electoral slates, and later to transmit those materially false documents to federal officials, again as part of his planning for January 6th.

“We have seen how President Trump persuaded tens of thousands of his supporters to travel to Washington D.C. for January 6th.

“And we will see in far more detail how the President’s rally and march to the Capitol were organized and choreographed.

“As you can tell, these efforts were not some minor or ad hoc enterprise, concocted overnight. Each required planning and coordination. Some required significant funding. All of them were overseen by President Trump. And much more information will be presented soon regarding the President’s statements and actions on January 6th.

“Today, as Chairman Thompson indicated, we turn to yet another element of the President’s effort to overturn the 2020 election, this one involving the Department of Justice.

“A key focus of our hearing today will be a draft letter that our witnesses here today refused to sign.

“This letter was written by Mr. Jeff Clark with another Department of Justice lawyer Ken Klukowski, and the letter was to be sent to the leadership of the Georgia State legislature.

“Other versions of the letter were intended for other states.

“Neither Mr. Clark nor Mr. Klukowski had any evidence of widespread election fraud.

“But they were quite aware of what Mr. Trump wanted the Department to do – Jeff Clark met privately with President Trump and others in the White House, and agreed to assist the President – without telling the senior leadership of the Department who oversaw him.

[multimedia]

“As you will see, this letter claims that the U.S. Department of Justice’s investigations have ‘identified significant concerns that may have impacted the outcome of the election in multiple States, including the State of Georgia.’

“In fact, Donald Trump knew this was a lie.

“The Department of Justice had already informed the President of the United States repeatedly that its investigations had found no fraud sufficient to overturn the results of the 2020 election.

“The letter also said this: ‘In light of these developments, the Department recommends that the Georgia General Assembly should convene in special session’ and consider approving a new slate of electors.

“And it indicates that a separate ‘fake slate of electors supporting Donald Trump’ has already been ‘transmitted to Washington, D.C.’

“For those of you who have been watching these hearings, the language of this draft Justice Department letter will sound very familiar.

“The text is similar to what we have seen from John Eastman and Rudy Giuliani, both of whom were coordinating with President Trump to overturn the 2020 election.

“When one of our witnesses today, Mr. Donoghue, first saw this draft letter he wrote this:

‘This would be a grave step for the Department to take and it could have tremendous constitutional, political and social ramifications for the country.’

“This committee agrees.

“Had this letter been released on official Department of Justice letterhead, it would have falsely informed all Americans – including those who might be inclined to come to Washington on January 6th – that President Trump’s election fraud allegations were likely very real.

“Here is another observation about this letter. Look at the signature line.

[multimedia]

“It was written by Jeff Clark and Mr. Klukowski not just for Clark’s signature, but also for our witnesses today, Jeff Rosen and Richard Donoghue.

“When it became clear that neither Mr. Rosen nor Mr. Donoghue would sign this letter, President Trump’s plan necessarily changed.

“As you will hear today, Donald Trump offered Mr. Clark the job of Acting Attorney General, replacing Mr. Rosen, with the understanding that Clark would send this letter to Georgia and other states, and take other actions the President requested.

“One other point. Millions of Americans have seen the testimony of Attorney General Barr before this Committee.

“At one point in his deposition, the former Attorney General was asked why he authorized the Department of Justice to investigate fraud in the 2020 election at all.

“Why not just follow the regular course of action and let the investigations occur much later in time, after January 6th. Here’s what he said:

[multimedia]

“I want to thank each of our witnesses before us today for your role in addressing and rebutting the false allegations of fraud at the root of January 6th.

“And thank you for standing up for the Constitution and for the rule of law.

“Of course, not all public officials behaved in the honorable way our witnesses did.

“At the close of today’s hearing, we will see video testimony by three members of Donald Trump’s White House staff.

“They will identify certain of the members of Congress who contacted the White House after January 6th to seek Presidential Pardons for their conduct.

“Thank you, Mr. Chairman I yield back.”

Chairman Thompson: “Without objection, the Chair recognizes the gentleman from Illinois, Mr. Kinzinger for an opening statement.

Representative Kinzinger: “Thank you, Mr. Chairman.

“And thank you to our witness for being here.

“I’d like to start with a personal story.

“So In May of 2009, I returned from service in Iraq and I announced my intention to run for Congress.

“A big reason I decided to run was my motivation to ensure freedom and democracy were defended overseas.

“I remember making a commitment – out loud a few times, and in my heart repeatedly, and even to today – that if we’re going to ask Americans to be willing to die in service to our country, we as leaders must at least be willing to sacrifice our political careers when integrity and our oath requires it.

“After all, losing a job is nothing compared to losing your life.

“Within the halls of power, in the face of a President, that commitment can easily be forgotten. Presidential pressure can be really hard to resist.

“Today we’ll focus on a few officials who stood firm against President Trump’s political pressure campaign.

“When the President tried to misuse the Department and install a loyalist at its helm, these brave officials refused and threatened to resign.

“They were willing to sacrifice their careers for the good of our country.

“The Department of Justice is unique in the Executive branch.

“The President oversees the Department of Justice, yet the President’s personal or partisan interests must not shape or dictate the Department’s actions.

“The President cannot and must not use the Department to serve his own personal interests.

“And he must not use its people to do his political bidding, especially when what he wants them to do is to subvert democracy.

“The president cannot pervert justice nor the law to maintain his power. Justice must, both in fact and law, be blind. That is critical to our whole system of self-governance.

“During this hearing, you’ll hear time and time again about the President’s requests to investigate claims of widespread fraud.

“Our witnesses, Mr. Rosen, Mr. Donoghue, and Mr. Engel stood firm in the face of overbearing political pressure because they understood that their oath was to the Constitution and not to the personal or political interests of the President.

“The President and his allies became keenly aware that, with legal challenges exhausted and electoral votes certified, their only hope would be a last-ditch scheme to prevent Congress from certifying the win, thus throwing the entire system into constitutional chaos.

“The President wanted the Department to sow doubt in the legitimacy of the election to empower his followers and Members of Congress to take action.

“If the Department could just lend its credibility to the conspiracies, people would have the justification they needed to spread the big lie.

“So President Trump ultimately wanted the Department of Justice to say the election quote “corrupt,” and “leave the rest to me and the Republican Congressmen.” As you will hear today, the Department’s top leadership refused.

“Not surprisingly, President Trump didn’t take “no” for an answer.

“He didn’t accept it from Attorney General Barr, and he wouldn’t accept it from Mr. Rosen, either.

“So he looked for another Attorney General – his third in two weeks. He needed to find someone who was willing to ignore the facts.

“That is not the norm.

“Let’s look at what Attorneys General – Democrats and Republicans alike – have said about upholding their oath to the Constitution.

[multimedia]

“Everyone in that video – from Eric Holder to Jeff Sessions – spoke as one about the independence of the Department.

“It’s a point of pride at Justice to apply the law – without the President’s political self-interest tainting its actions or dictating how it uses its authorities.

“But President Trump did find one candidate at Justice who seemed willing to do anything to help him stay in power.

“Let’s hear what President Trump’s own lawyer, Eric Herschmann, had to say about Jeff Clark’s plan to overturn the election. I’d like to advise viewers this video contains strong language:

[multimedia]

“So who is Jeff Clark?

[multimedia]

“An environmental lawyer with no experience relevant to leading the entire Department of Justice.

“What was his only qualification? That he would do whatever the President wanted him to do. Including overthrowing a free and a fair democratic election.

“President Trump’s campaign to bend the Justice Department to his political will culminated in a showdown on January 3rd.

[multimedia]

“Today, we will take you inside that early evening Oval Office meeting where top Justice Department officials met with the President.

“At stake: the leadership and integrity of the Department of Justice.

[multimedia]

“Well, we know these men before us did the right thing.

“But think about what happens if these Justice officials make a different decision.

“What happens if they bow to the pressure?

“What would that do to us as a democracy? As a nation?

“Imagine a future where the President could screen applicants to the Justice Department with one question: Are you loyal to me or to the Constitution?

“And it wouldn’t take long to find people willing to pledge their loyalty to the man.

“We know many of President Trump’s vocal supporters on January 6th also wanted the Justice Department to do whatever he asked, as long as it meant he could stay in power.

“They made sure Justice Department officials heard his message as they protested loudly in front of the Department on their way to the Capitol on January 6th.

[multimedia]

“I want to take a moment now to speak directly to my fellow Republicans.

“Imagine the country’s top prosecutor – with the power to open investigations, subpoena, charge crimes and seek imprisonment – imagine that official pursuing the agenda of the other party instead of that of the American people as a whole.

“And if you’re a Democrat, imagine it the other way around.

Today, President Trump’s total disregard for the Constitution and his oath will be fully exposed.

“Now, let’s get this hearing underway, so we can do our part to protect the freedoms that we often take for granted.

“So that we can see how close we came to losing it all.

“I now yield back to the Chairman.”

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